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PATENT  
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Elvis DeLucruz  
Printed name of person mailing correspondence

J. Donahue  
Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Benjamin G. Neel et al.	Art Unit:	Not yet assigned
Serial No.:	10/520,225	Examiner:	Not yet assigned
Filed:	January 4, 2005	Customer No.:	21559
Title:	COMBINATION OF MTOR INHIBITOR AND A TYROSINE KINASE INHIBITOR FOR THE TREATMENT OF NEOPLASMS		

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REPLY TO NOTIFICATION OF MISSING REQUIREMENTS

In reply to the Notification of Missing Requirements that was mailed in connection with the above-captioned application on July 11, 2005, a copy of which is enclosed, applicant, as a small entity, submits the following:

A surcharge under 37 C.F.R. § 1.492(h) of \$65.00, because the declaration is being submitted after 30 months from the priority date.

Payment of the application search fee of \$50.00.

Payment of the application examination fee of \$100.00.

Payment of additional claims fees of \$350.00.

Applicant claims small entity status under 37 C.F.R. § 1.27.

Enclosed is a Petition to extend the period for replying to the Notification for two months, to and including November 11, 2005, and a check in payment of the required extension fee.

If there are any additional charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: November 10, 2005

  
Paul T. Clark  
Reg. No. 30,162

  
Jeffrey J. Ellison  
Reg. No. 51,649  
for Paul T. Clark

Clark & Elbing LLP  
101 Federal Street  
Boston, MA 02110  
Telephone: 617-428-0200  
Facsimile: 617-428-7045

11/17/2005 GFREY1 00000086 10520225

01 FC:2641	50.00	OP
02 FC:2633	100.00	OP
03 FC:2615	350.00	OP
04 FC:2617	65.00	OP



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/520,225	Benjamin G Neel	01948/090003
INTERNATIONAL APPLICATION NO.		
PCT/US03/20972		
I.A. FILING DATE		PRIORITY DATE
07/03/2003		07/05/2002
<b>CONFIRMATION NO. 2583</b> <b>371 FORMALITIES LETTER</b>		
*OC000000016476269*		

Date Mailed: 07/11/2005

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/04/2005
- Copy of the International Search Report filed on 01/04/2005
- Preliminary Amendments filed on 01/04/2005
- Oath or Declaration filed on 01/04/2005
- Request for Immediate Examination filed on 01/04/2005
- U.S. Basic National Fees filed on 01/04/2005
- Priority Documents filed on 01/04/2005

ACTION DUE Reply  
 DUE DATE 9.11.05  
 ESP 1.11.06  
 INITIALS JRW

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$350 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$565** for a Small Entity:

- **\$65 Late oath or declaration Surcharge.**
  - The application search fee has not been paid. Applicant must submit **\$50** to complete the search fee.
  - The application examination fee has not been paid. Applicant must submit **\$100** to complete the examination fee for a small entity in compliance with 37 CFR 1.27
- Total additional claim fee(s) for this application is **\$ 350**
  - **\$350** for 14 total claims over 20.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

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Telephone: (703) 308-9140 EXT 213

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/520,225	PCT/US03/20972	01948/090003

FORM PCT/DO/EO/905 (371 Formalities Notice)